

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**RAYMOND ORRAND,  
ADMINSTRATOR, *et al.*,**

**Plaintiffs,**

**v.**

**BROWN'S EXCAVATING, INC.**

**Defendant.**

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**Case No. 2:14-cv-02320**

**JUDGE ALGENON L. MARBLEY**

**Magistrate Judge Kemp**

**ORDER**

On June 8, 2015, the United States Magistrate Judge recommended that the motion for default judgment brought by Plaintiffs Raymond Orrand, Administrator and the Trustees of the Ohio Operating Engineers Pension Plan, Ohio Operating Engineers Pension Fund, Ohio Operating Engineers Apprenticeship Fund, and Ohio Operating Engineers Education and Safety Fund, (Doc. 6), against Defendant Brown's Excavating, Inc. be granted. (*Report and Recommendation*, Doc. 9). Defendant was advised of its right to object to the Report and Recommendation and of the consequences for its failure to do so, but nevertheless Defendant has failed to file any objections.

The Report and Recommendation, (Doc. 9), is hereby **ADOPTED AND AFFIRMED**. Plaintiff's Motion for Default Judgment, (Doc. 6), is **GRANTED**. The Clerk is **DIRECTED** to enter **FINAL JUDGMENT** accordingly.

s/Algenon L. Marbley  
**Algenon L. Marbley**  
**United States District Judge**

**DATED: August 19, 2015**